DOCUMENT RESUME

ED 461 924 EA 031 517

AUTHOR Christy, W. Keith; McNeal, Larry
TITLE Influence of School Board Members on State Legislation in Arkansas.
PUB DATE 2001-11-15
NOTE 16p.; Paper presented at the Annual Meeting of the Mid-South Educational Research Association (30th, Little Rock, AR, November 14-16, 2001).
PUB TYPE Reports - Research (143) -- Speeches/Meeting Papers (150)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Agenda Setting; *Boards of Education; *Educational Legislation; Elementary Secondary Education; Government School Relationship; Influences; Money Management; Policy; *Politics of Education; *State Legislation
IDENTIFIERS *Arkansas

ABSTRACT

Two surveys were conducted during July-September 2000 at the request of the Arkansas School Boards Association (ASBA). Their purpose included identifying specific legislative issues that the organization would include in its legislative agenda for the 2001 session. Responses detailed board members' involvement in state and federal policymaking and yielded demographic data on the individuals serving as Arkansas school board members. Results of these surveys also provided board members' perspectives on financial issues at the state and federal levels, significant concerns at the local level, and policy issues at the state and federal levels. These perspectives provided the ASBA staff and board of directors with information to formulate its agenda based on data from the membership rather than from the undocumented opinions of a few. This paper presents the results of the 2001 Arkansas Legislative Session, specifically addressing the following topics: (1) greatest concerns of school boards; (2) chief obstacles to school boards in improving schools; and (3) individual school board members' significant concerns at the local level. It is possible for many additional conclusions to be drawn by in-depth review of these data. (RT)

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Influence of School Board Members on State Legislation in Arkansas

W. Keith Christy, Ed.D.
wkchristy@ualr.edu

Larry McNeal, Ph.D.
lxmcneal@ualr.edu

University of Arkansas at Little Rock

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Presented at Mid-South Educational Research Association Regional Conference
Little Rock, Arkansas

November 15, 2001

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EA 031517

Abstract

At the request of the Arkansas School Boards Association, the researcher conducted two surveys during July-September 2000. The surveys, one of the state's 310 school boards and the second of the state's 1,801 school board members, served as a major purpose to identify specific legislative issues that the organization would include in its legislative agenda for the 2001 session (Christy, 2000).

The results of these surveys provided the following perspectives: (a) Financial issues at the state and federal levels; (b) Significant concerns at the local level; (c) Policy issues at the state and federal levels; (d) Board member involvement in state and federal policymaking; (e) Demographic data of the individuals serving as Arkansas school board members. This paper presents the results of the 2001 Arkansas Legislative Session specifically addressing legislation addressing: (a) Greatest Concerns of School Boards; (b) Chief Obstacles to School Boards for Making School Improvement, and; (c) Individual School Board Members' Significant Concerns at the Local Level.

Influence of School Board Members on State Legislation in Arkansas

"No man is an island entire of itself; every man is a piece of the continent, a part of the main."
Devotions upon Emergent Occasions, John Donne

Although this wisdom was offered from England in 1623, it is pertinent to school boards today in the state of Arkansas. Public schools are in a very high profile position at the local, state, and national levels. It is clear those policy decisions enacted by legislatures and/or citizen initiatives in other states may eventually impact policy development for Arkansas school boards. Evidence of this may be seen in such efforts as; tax reduction; privatization of schools, public and private vouchers, state takeovers, home schools, and charter schools, to name only a few of the long list of issues confronting the public schools. Boards of education in Arkansas are not islands unto themselves. They must be a collective body working for the benefit of all Arkansas youth.

In an effort to better understand how school boards are a part of the main, the Arkansas School Boards Association conducted two surveys during July-September 2000. The surveys, one of the state's 310 school boards and the second of the state's 1,801 school board members, served as a major purpose to identify specific legislative issues that the organization would include in its legislative agenda for the upcoming 2001 session.

Theoretical Framework

The theory of natural law dates to ancient Greek philosophers in the 6th century BC. Heraclitus spoke of a common wisdom that pervades the universe. His theory was based upon one human law and that be by divine rule. Aristotle later distinguished between two kinds of justice, one being natural law and the other being legal rule. Natural law implies that justice has

the same validity everywhere. Legal rule was explained to be the settling of a dispute indifferently (Lynch, 2000).

Natural law, as a system of justice, is the legal enactment of requirements on a given society. The rights afforded citizens in this country are derived through natural law as given in the U. S. Constitution and the Bill of Rights (Singer, 1996). The U. S. Constitution does not address the provision of education the citizenry. As the Tenth Amendment to the Bill of Rights designates that any power not stated in the Constitution is left to states, each state has the responsibility to regulate its public education system. As a major author of the U. S. Constitution, Thomas Jefferson influenced the importance of educating the citizenry. In his writing, he emphasizes that nothing is more important than a universal education that will "render the people guardians of their own liberty" (Peden, 1954, p. 1).

In making entry to the government of the United States, each state was required to submit a state constitution and that document had to address the provision of a public education. For Arkansas, Article XIV, Section 1 states,

> Intelligence and virtue being the safeguards of liberty and bulwark of a free and good government, the State shall ever maintain a general, suitable and efficient system of free schools, whereby all persons in the State between the ages of six and twenty-one years may receive gratuitous instruction (State of Arkansas Constitution, 2001, p. 1).

The democratic form of government in the United States allows the citizens to elect representatives that speak on their behalf in the process of governing the citizens. In Arkansas, this right is given citizens to elect the governor, state representatives, and state senators. The Jeffersonian theory has implied that our elected representatives shall listen to the citizens, and when in the best interest of the citizens, act on their behalf. Based upon the theoretical concept

that state legislators will respond to the will of the people, the Arkansas Association of School Boards is an organization that communicates the perceived needs of the elected officials representing public education in Arkansas to the legislature.

Purpose of the Research

The purpose of the research was to assist the Arkansas Association of School Boards and its board of directors to formulate a legislative agenda for the 2001 regular session of the Arkansas State Legislature. The information was used by their office of governmental relations to write, endorse, and lobby legislation that would be reflective of the positions of public school boards of education and their members.

Organization of the Data

The data were categorized into the four congressional areas of the state. Congressional District 1 encompasses the northeast quarter of the state, Congressional District 2 comes from the center of the state, Congressional District 3 is the northwest quarter of the state, and Congressional District 4 is primarily the southern quarters of the state, excluding the central region.

The surveys had a very successful response from boards and their members. Of the 310 school districts in the state, 206 boards returned the board survey for a 67% return. There were 1,801 surveys sent to individual school board members with 1,104 board members responding for a 61% return. Previous surveys had been administered for the purpose of gathering only demographic data of Arkansas school board members. Factors that could have impacted survey return were: the longer survey; school board elections held in September and outgoing school board members may have chosen not to participate; recent state law required some school

districts to reduce the number of board members from seven to five, and; survey distribution in July may have missed some board members away on vacation, business, etc.

Greatest Concerns of School Boards

School boards were asked as a body to identify the three greatest concerns to fulfilling their responsibilities. The response from the local school board bodies (Table 1) were finance related in that local school boards as collective bodies believed that "receiving adequate funds" and "being able to pay competitive salaries" were their greatest immediate concerns. The next most highly rated concern of "finding qualified teachers" was not only a state financial issue, but also one of national concern. Education Vital Signs: State of the States (1999) reported that the 1998-99 per-pupil expenditure was $4,596 compared to the national average of $6,407. In a ranking of the states, Arkansas ranked 48 ahead of Mississippi ($4,528) and Utah ($3,732). These results were in the same order of priority for each of the four Congressional Districts.

Table 1

Greatest Concerns of School Boards

Greatest Concern	
Receiving adequate funds to operate schools and meet standards	20%
Paying competitive salaries to retain good teachers	19%
Finding qualified teachers	17%
Involving parents as partners in their children's education	14%
Integrating technology into all levels of teaching and learning	6%
Renovating/replacing dated or overcrowded facilities	6%
Dealing with economic and social circumstances of the community	5%
Meeting state accountability requirements (ACTAAP, Smart Start, etc.)	5%
Raising local millage rates	3%
Retaining good administrators	3%
Finding qualified administrators	2%

Note: The percentage represents the percent of school boards that reported that item as one of the three top concerns to fulfilling their responsibilities.

Response of the 2001 Arkansas State Legislature

Receiving adequate funds to operate schools and meet standards

Act 204 provides that countywide reappraisals of property are deemed to be completed on the date taxes are first assessed on the newly appraised value.

Act 558 allocates funds for the Educational Excellence Trust Fund for the next biennium.

Act 1058 requires one-fifth of the state's counties to complete their real estate tax reappraisals each year.

Act 1131 repeals ACA 26-26-304, which prescribes the ratio of assessed valuation of property for purposes of taxation to market value.

Paying competitive salaries to retain good teachers

Act 1641 appropriates $1,074,082 the first year and $3,222,106 the second year to the Department of Education from the Public School Fund Account for the $3,000 teacher salary increase.

Act 1735 each school district shall establish a normal base contract period for teachers. If the normal base contract is increased that contract shall be increased proportionally for each day added. This provision shall not apply to separate contracts for employment with a teacher to teach summer school or to perform services that do not require the teacher to hold a teaching certificate to perform those services.

Finding qualified teachers

Act 1146 allows members of the Teacher Retirement System to retire and return to work within 30 days: repeals the earnings limitations after retirement.

Act 1388 allows school districts in the Delta and in geographical teacher shortage areas to reimburse teachers for interviewing and moving expenses.

Act 1521 requires the Department of Education to identify critical teacher shortage areas of the state that make-up the Arkansas Delta Region.

Act 1523 creates the Delta Leadership Institute for Teachers.

Act 1550 creates the University Assisted Teacher Recruitment and Retention Grant Program to provide $2,000 scholarships to students working toward a Master in Education degree.

Act 1731 establishes the Geographical Critical Needs Minority Teacher Scholarship Program. Has grade point requirements and caps the amount of the scholarship.

Involving parents as partners in their children's education

Act 529 requires the Director of the Department of Finance to issue special Committed to Education motor vehicle license plates.

Act 581 requires members of the board of directors of each school district to annually visit classrooms in their district while children are present.

Act 775 amends various provisions of the school report card and school performance act. Changes the date of school performance report from September 15, to March 15.

Act 1037 provides that the local board of directors must file a petition with the State Board of Education 30 days prior to the next scheduled board meeting and establishes procedures for changing the boundaries of a school district.

Act 1217 requires school principals to notify the parents of a student who is reported to, interview by, or taken into custody by law enforcement personnel.

Integrating technology into all levels of teaching and learning

Act 912 requires the written policy of a school district state that a system to prevent computer users from accessing material harmful to minors shall be established and maintained for all public access computers in the school district.

Act 1287 requires State agencies to develop policies regarding the use of the internet.

Renovating/replacing dated or overcrowded facilities

No legislative changes.

Dealing with economic and social circumstances of the community

Act 1268 requires notification to a school district when a juvenile is arrested or adjudicated delinquent for any offense that may affect the safety of the juvenile while at school or the safety of others at the school.

Meeting state accountability requirements (ACTAAP, Smart

No legislative changes.

Raising local millage rates

Act 1212 appropriates $950,000 in the second year to the Department of Finance and Administration from the Property Tax Relief Trust Fund for various school districts millage rollback compensation.

Act 1275 amends various provisions concerning the collection of property taxes by county collectors.

Act 1793 clarifies amendment 79 to the constitution regarding the assessed value of real property at the time of a transfer in property and to clarify the year for which the assessment and collection shall be compared against.

Retaining good administrators

No legislative changes.

Finding qualified administrators

No legislative changes.

Chief Obstacles to School Boards for Making School Improvement

Another response indicating funding as an important issue was in identifying the most significant long-term challenges facing school boards. Board responses rated "an insufficient investment at the state level" as one of the two most difficult future challenges (see Table 2). Of particular note among their challenges, local boards did not consider that an insufficient local investment was a challenge at all. In fact, it ranked last of all the challenges in every Congressional District. Boards were requested to choose three issues from the list of chief obstacles that were of greatest concern to them in fulfilling their responsibilities.

Table 2

Chief Obstacles/Challenges to Long-Term Improvement in Student Achievement in Your School District

Increasing parental interest or involvement in children's education	27%
Insufficient investment in education at the state level	21%
Improving quality of teaching	13%
Meeting state mandates	12%
Providing greater access to technology for all students	8%
Using technology to improve teaching and learning	6%
Increasing public schools ability to adapt or change as needed	6%
Meeting needs of large numbers of poor, ethnic, and racial minorities	5%
Insufficient investment in education at the local level	2%

Note: The percentage represents the percent of school boards that reported that item as one of the three top concerns to fulfilling their responsibilities.

Response of the 2001 Arkansas State Legislature

Increasing parental interest or involvement in children's education

Act 1207 amends various sections of the Arkansas code relative to school attendance, requires residents of land located partially in 2 school districts to attend the school in the district in which the residence is located; allows only the children of full-time public school employees who are residents in another school district to attend the school in which the parent works, etc.

Act 1747 requires districts to publish on the district's web page, minutes of meetings, budget for the ensuing year, financial breakdown of monthly expenses, salary schedule for all employees, district's yearly audit and the annual statistical report. If a district does not have a web page, then on or before July 1, 2003, the districts' educational cooperative shall develop a web page for the district.

Insufficient investment in education at the state level

Act 1386 directs the Board of Education to conduct a study of public education, its structure, financial needs, and funds needed for improvement. Requires the Board of Education to appoint an advisory committee with members appointed so that various sized schools are represented equally to assist the board in this study. Requires a report to be filed not later than 9/1/2002.

Act 1398 creates the Arkansas Blue Ribbon Commission of 37 members to explore strategies for improving the system of public education etc.

Improving quality of teaching

Act 146 increases the subsidized teacher training for advanced placement courses at a cost not to exceed $650 per teacher for those participating in the pre-advanced program.

Act 1060 increases the bonus to teachers for obtaining the National Board of Professional Standards' certification.

Act 1055 designates Arkansas Education Service Cooperatives as a local education agency in order to provide eligibility to cooperatives to receive state and federal funds upon written requests from the school districts.

Meeting state mandates

Act 624 requires school boards to set one week in October as an annual Gun Violence Prevention Week in elementary schools K-6.

Act 1208 any teacher not receiving individual planning time as provided for in this section shall be compensated for the planning time lost at his or her hourly rate of pay.

Act 1506 provides that public elementary school students must receive at least 40 minutes a week of instruction in visual art or music by June 2002. By June 1, 2005 every student in grades 1-6 shall receive 1 hour of instruction in visual art and music each

calendar week provided by a licensed teacher. Creates a Future Art and Music Teachers Pilot Program in at least 6 schools to have high school juniors and seniors provide art and music instruction for elementary students.

Act 1748 mandates every public educational institution in this state offer health related education including physical education training and instruction K-9 no less than one hour per week; includes no less that twenty minutes of physical activity three time a week for every student who is physically fit and able to participate.

Providing greater access to technology for all students

No legislative changes.

Using technology to improve teaching and learning

Act 1533 requires public schools and public libraries to install internet filters or purchase internet connectivity from a provider that provides filter services to limit access to material that is harmful to minors.

Increasing public schools ability to adapt or change as needed

No legislative changes.

Meeting needs of large numbers of poor, ethnic, and racial minorities

No legislative changes.

Insufficient investment in education at the local level

No legislative changes.

Significant Concerns at the Local Level

Individually, school board members were asked to assess their local school district's challenges from "Very Difficult" to "Not a Problem" (see Table 3). The most significant challenge reported was "dismissing unsatisfactory employees" (51% very difficult, 28% somewhat difficult). Other significant challenges were: receiving adequate funds (22% very difficult, 40% somewhat difficult); declining population/lack of growth (24% very difficult, 30% somewhat difficult), and; attracting qualified teachers (19% very difficult, 50% somewhat difficult (see Table 4). Of significance for issues facing local school board members, areas

identified as "Not a Problem" were overcoming racial barriers (50% not a problem) and non-native English speakers (45% not a problem).

Table 3

School Board Members Judgment of Difficulty in Dealing with Current Experiences

	Very Difficult or Somewhat Difficult	Not a Problem	Neutral
Employee Dismissal	79%	13%	8%
Attracting Qualified Teachers	69%	20%	11%
Receiving Adequate Funds	62%	14%	24%
Providing Employee Health Insurance	56%	21%	23%
High Community/Parental Expectations	55%	19%	26%
Declining Population Lack of Growth	54%	28%	18%
Special Education Federal Requirements	43%	33%	24%
Integrating Technology	43%	32%	25%
Maintaining Facilities	42%	36%	22%
Meeting ACTAAP Standards	43%	23%	34%
Attracting Qualified Administrators	43%	36%	21%
Non-Native English Speakers	39%	34%	27%
Optimum Board Performance	29%	44%	27%
Overcoming Racial and Ethnic Barriers	27%	50%	23%
Working with Other Agencies	26%	52%	22%

Note: The percentage represents the frequency that individual school board members reported the issue at that level of concern.

Response of the 2001 Arkansas State Legislature

Employee Dismissal

Act 752 expands the authority for the State Board of Education to revoke, suspend, or place on probation the license of teachers; prescribes hearing procedures and cause.

Act 1739 prohibits school districts from terminating, suspending, or not renewing the contracts of non-probationary status teachers without just cause.

Attracting Qualified Teachers

No legislative changes.

Receiving Adequate Funds

No legislative changes.

Providing Employee Health Insurance

Act 321 amends the definition of a full time school bus driver for purposes of participation in the Public School Employees Insurance Program to include persons whose primary source of income during the school year is driving a school bus.

Act 1745 provides that beginning on July 1, 2001, local school districts shall pay a health insurance contribution of $114 per month; October 1, 2003, $122 per month; October 1, 2004, $131 per month for each eligible employee electing to participate in the public school employee health insurance program.

High Community/Parental Expectations

Act 1121): Requires courses which qualify as high school and college credit to be equal to the numeric grade value for advanced placement courses; and gives the discretion to the local school board to adopt this policy.

Act 1535 allows six-year olds that did not attend kindergarten to enroll in either kindergarten or first grade, if results of an evaluation justify placement in the first grade and the child's parents agrees with placement in the first grade.

Act 1552 requires each school district to conduct individual readiness testing on each child entering kindergarten.

Act 1559 requires the State Board of Education to develop a comprehensive academic standards and curriculum frameworks plan for consistency in course work offered by local school districts.

Declining Population Lack of Growth

Act 1214 allows school district bond debt up to 35 percent of the real and personal property in the district in cases of hardship due to student growth or low per student assessment.

Special Education Federal Requirements

No legislative changes.

Maintaining Facilities

Act 921 raises the bid amount on public capital improvements, prescribing when a state agency may negotiate an award with a low bidder when the bid cost exceeds the appropriation.

Act 1204 directs the Education Department to establish regulations regarding construction projects for public educational entities that are using their own employees or where the entity acts as a general contractor.

Act 1717 allows any school district to enter into a guaranteed energy saving contract, upon finding that the amount it would spend would not exceed the amount save in energy or operational costs within a fifteen year period.

Meeting ACTAAP Standards

No legislative changes.

Attracting Qualified Administrators

No legislative changes.

Non-Native English Speakers

No legislative changes.

Optimum Board Performance

Act 994 requires write-in candidates for school board elections circulate petitions for nomination no earlier than 60 days before the election.

Overcoming Racial and Ethnic Barriers

Act 1562 requires a study to review the equity in competition in high school activities, and to determine if equity of opportunity exists because of the difference in average daily membership.

Working with Other Agencies

No legislative changes.

Summary

The surveys of Arkansas School Boards and their members, sponsored by the Arkansas School Boards Association and its Board of Directors, assessed the opinions, needs, and concerns of the locally elected officials charged with the responsibility of developing policy by which their public schools will be administered.

The results gathered from these surveys provided the ASBA staff and Board of Directors with information to formulate a legislative agenda based upon data from the membership rather than from the undocumented opinions of a few.

It is possible for many additional conclusions to be drawn by in-depth review of these data. Future actions by ASBA and local boards of education could be pursued to deal directly with specific concerns and obstacles that may impede the progress that must be made to improve educational opportunities for the public school students in Arkansas.

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